UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/593,339	09/19/2006	Jacob Gil	2282/3	9944

44696   7590   12/26/2008
DR. MARK M. FRIEDMAN
C/O BILL POLKINGHORN - DISCOVERY DISPATCH
9003 FLORIN WAY
UPPER MARLBORO, MD 20772

EXAMINER
HUSSAIN, FARRUKH

ART UNIT	PAPER NUMBER
2444	

NOTIFICATION DATE	DELIVERY MODE
12/26/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mark_f@friedpat.com
friedpat@yahoo.com
sharon_l@friedpat.com

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>19 September 2006</u>.

2a) ☐ This action is **FINAL.**   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
   closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-19</u> is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-19</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on <u>19 September 2006</u> is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a) ☐ All b) ☐ Some * c) ☐ None of:

   1. ☐ Certified copies of the priority documents have been received.

   2. ☐ Certified copies of the priority documents have been received in Application No. _____.

   3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
      application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

<div style="text-align:center">DETAILED ACTION</div>

This application has been examined. Claims 1-19 are pending.

<div style="text-align:center"><i>Claim Rejections - 35 USC § 102</i></div>

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless —
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Gelvin et al. (US 6,859,831 B1).

With respect to the independent claim1, Gelvin et al. reference teaches a system for automatically connecting real world entities to corresponding network based information sources, comprising:

i. at least one network enabled device for capturing real world object data and communicating with a network (see column 10, lines 18-32, NG network device(s) for sensing and control of events);

ii. client software for said device, for enabling interaction with said object data (see column 18, lines 46-48, see column 11, lines 22-31);

iii. a network server system to process requests from said device and other network-based elements (see figure 8, #806,"server and server applications"); and

iv. at least one information source for providing data responses to requests

from said network server system (see column 11, lines 49-53, database).

With respect to the claim 2, Gelvin et al. reference teaches the system of claim 1, wherein

said device further comprises:

a. data-acquisition mechanism for capturing real world object data (see column 15, lines 34-37);

b. a communications mechanism for enabling transfer between said device and a network (see

column 15, lines 37-42 data transfer, and see column 17, lines 12-18 gateway); and

c. a man-machine interface for enabling user interaction with said data (see column 10, lines 59-63

user interface and see figure 14).

With respect to the claim 3, Gelvin et al. reference teaches the system of claim 2, wherein

said data-acquisition mechanism includes a sensor mechanism selected from the group consisting of

a microphone, scanner, smeller mechanism, taster mechanism, feeler mechanism, antenna, IR

sensor, geophone, radiation meter, movement meter, acceleration meter, wind meter, thermometer

and humidity sensor (see figure 40, IR Sensor).

With respect to the claim 4, Gelvin et al. reference teaches the system of claim 2, wherein

said communications mechanism is selected from the group consisting of wireless and wireline

communications mechanisms data (see column 10, lines 24-27 and see column 21, lines 39-41).

With respect to the claim 5, Gelvin et al. reference teaches the system of claim 1, wherein

said client software includes a computational mechanism for processing said data (see column 12,

lines 9-13 processing).

With respect to the claim 6, Gelvin et al. reference teaches the system of claim 5, further

comprising a local information source, for providing information for said computational mechanism

(see column 11, lines 49-53, database).

With respect to the claim 7, Gelvin et al. reference teaches the system of claim 1, wherein said network server system is a dedicated server for providing responses to client requests (see figure 8, server 806 and see column 10, lines 63-65).

With respect to the claim 8, Gelvin et al. reference teaches the system of claim 1, wherein said information source comprises at least one kind of data selected from the group consisting of audio, textual, olfactory, taste, touch, radiation, movement and time-change data (see column 19, lines 15-22, Touch Screen, Audio Output, and see column 46, lines 47-50, Touch/Pressure sensors).

With respect to the independent claim 9, Gelvin et al. reference teaches a method for automatically connecting real world elements to network based information sources relating to the elements, comprising:

i. capturing data from a real world element,, by a network-enabled device with

a data input mechanism (see column 69, lines 25-32, visits by medical professionals logged in);

ii. connecting said device to a server, for matching said real world element to

a corresponding information source on a network (see column 6, lines 59-64); and

iii. delivering data from said information source to said device (see column 9, lines 49-51,

information service, see column 34, lines 50-57, message is delivered to the end user).

With respect to the claim 10, Gelvin et al. reference teaches the method of claim 9, wherein step i. further comprises processing said data (see column 9, lines 32-35, signal processing).

With respect to the claim 11, Gelvin et al. reference teaches the method of claim 9, wherein said step iii. includes interacting with said information source from said device (see column 10, lines 8-11).

With respect to the claim 12, Gelvin et al. reference teaches the method of claim 9, further comprising automatic initiation of at least one pre- configured action (see column 7, lines 6-11, automatic adjustment).

With respect to the claim 13, Gelvin et al. reference teaches the method of claim 9, wherein said information source is selected from the group consisting of a Web site, intranet site, extranet site, database, search engine, dedicated server and service center (see column 6, lines 59-67, network resources such as database are available).

With respect to the claim 14, Gelvin et al. reference teaches the method of claim 9, wherein said information source provides data selected from the group consisting of textual, visual, multimedia, olfactory, touchable, audio data, electromagnetic radiation, ultrasound, vibrations, undersound, radiation, and time-change data (see figure 40, IR Sensor, radiation).

With respect to the independent claim 15, Gelvin et al. reference teaches a method for automatically connecting real world element data to network-based data source, comprising:
i. capturing a real world object, by a client device (see column 10, lines 18-32, sensing and control);
ii. sending said object data to a server, in the form of a request (see column 30, lines 60-67, through the network);
iii. querying a relevant database for corresponding information for said request (see column 32, lines 49-53, query the WINGS NG server for images data); and
iv. sending a requested data to said device (see column 17, lines 37-39, sends "ping" commands to the processor).

With respect to the claim 16, Gelvin et al. reference teaches the method of claim 15, wherein step i. further comprises processes said data by said device, before sending to said server, such that

said real world object data is pre- filtered before executing said querying of a database (see column 16, lines 23-30, a filter may be applied).

With respect to the claim 17, Gelvin et al. reference teaches the method of claim 16, wherein said processing uses a mechanism selected from the group consisting of pattern matching, minimizing, reducing resolution and data- fusion (see column 39, lines 30-35, a match can finally be made).

With respect to the claim 18, Gelvin et al. reference teaches the method of claim 15, wherein said step iii. further comprises linking to an external information source to search for information relevant to said request (see column 6, lines 59-67, link to the internet) .

With respect to the claim 19, Gelvin et al. reference teaches the method of claim 15, further comprising automatically initiating an action in said client device (see column 7, lines 6-11, automatic adjustment).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 6,889,385 B1 by Rakib et al. discloses Home Network for Video-On-Demand and Other Requested Programs and Services.

US 6,992,699 B1 by Vance et al. discloses Camera Device With Selectable Image Paths.

US 2008/0248833 A1 by Silverbrook et al discloses Mobile Telephone With Internal Inject Printhead Arrangement and an Optical Sensing Arrangement.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to FARRUKH HUSSAIN whose telephone number is (571)270-5652. The examiner can normally be reached on Monday-Thursday, Alt. Friday, 7:30 A.M-5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Vaughn can be reached on 571-272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/FH/
Examiner, Art Unit 2444
12/09/2008
/William C. Vaughn, Jr./
Supervisory Patent Examiner, Art Unit 2444